

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

METHVEN AND ASSOCIATES
PROFESSIONAL CORPORATION,

Plaintiff,

v.

SCARLETT PARADIES-STROUD, as
administrator of the ESTATE OF ANDREW
B. STROUD, et al.,

Defendants.

No. C 13-01079 JSW

**ORDER IMPOSING SANCTIONS
AND REVOKING *PRO HAC VICE*
STATUS**

On December 5, 2013, the Court issued an Order to Show Cause (“OSC”) to Mr. Robinson, counsel for Scarlett Paradies-Stroud (“Paradies-Stroud”) as the administrator of the Estate of Andrew B. Stroud (“Stroud Estate”), Andy Stroud, Inc. (“ASI”), and Stroud Productions and Enterprises, Inc. (“SPE”) (collectively referred to as “Stroud Defendants”) as to why he should not be personally sanctioned in the amount of \$5,000 and why his *pro hac vice* status on behalf of the Stroud Defendants should not be revoked. The Court has repeatedly admonished Mr. Robinson to abide by the Standards of Professional Conduct set forth in Civil Local Rule 11-4, which include “practic[ing] with the honesty, care, and decorum required for the fair and efficient administration of justice” and “discharg[ing] his ... obligations to his ... client and the Court.” In his response to the OSC, Mr. Robinson takes absolutely no responsibility for any of his actions and shows no contrition. Based on his failure to do so, the

1 Court has no assurance that Mr. Robinson will stop making statements in court filings that are
2 at best disingenuous, that Mr. Robinson will practice with care, or that he will comply with
3 Court Orders and the Local Rules.

4 Accordingly, the Court HEREBY imposes sanctions against Mr. Robinson in the
5 amount of \$5,000, to be paid by him personally by no later than January 6, 2014 and
6 REVOKES Mr. Robinson's *pro hac vice* status. Mr. Robinson shall serve a copy of this Order
7 on Paradies-Stroud as the administrator of the Stroud Estate, ASI, and SPE by no later than
8 December 23, 2013 and shall file a proof of such service by no later than December 27, 2013.
9 Mr. Robinson is directed to attach a copy of this Order to any future *pro hac vice* application in
10 this district court. ASI and SPE are corporations and, thus, cannot represent themselves.
11 *See Rowland v. California Men's Colony*, 506 U.S. 194, 201-02 (1993); Civil Local Rule 3-
12 9(b). ASI and SPE shall obtain new counsel and have such new counsel file an appearance by
13 January 17, 2014.

14 With respect to Paradies-Stroud, it is not yet clear whether she may proceed *pro se* or
15 must retain counsel in order to appear on behalf of the estate of Andrew B. Stroud. An attorney
16 must represent a personal representative of an estate where the estate has multiple beneficiaries
17 and creditors. *See Simon v. Harford Life, Inc.*, 546 F.3d 661, 664 (9th Cir.2008) ("... courts
18 have routinely adhered to the general rule prohibiting *pro se* plaintiffs from pursuing claims on
19 behalf of others in a representative capacity"); *Pridgen v. Andresen*, 113 F.3d 391, 393 (2nd
20 Cir. 1997); *Warth v. Seldin*, 422 U.S. 490, 499 (1975) (a claimant "must assert his own legal
21 rights and interests, and cannot rest his claim to relief on the legal rights or interests of third
22 parties") (quotation omitted); *see also C.E. Pope Equity Trust v. United States*, 818 F.2d 696,
23 697-98 (9th Cir. 1987) (trustee attempting to represent a trust *pro se* was not, pursuant to 28
24 U.S.C. § 1654, a "party" conducting his "own case personally" as he was not the beneficial
25 owner of the claims being asserted).

26 Paradies-Stroud is Ordered to Show Cause in writing whether she intends to appear *pro*
27 *se* or through new counsel. If she intends to proceed *pro se*, she must demonstrate that she is
28 the sole beneficiary to the estate of Andrew Stroud and that there are no other beneficiaries or

creditors. Paradies-Stroud shall provide this statement, and supporting evidence, by no later than January 17, 2014. If she intends to obtain new counsel, such counsel shall file an appearance by January 17, 2014.

IT IS SO ORDERED.

Dated: December 19, 2013


JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

